

From: GGillette@aol.com@inetgw
To: Microsoft ATR
Date: 1/28/02 5:55pm
Subject: Letter to Hon. Colleen Kollar-Kotelly

Please see attached.

Thanks,
Graham Gillette
515-244-1900

GILLETTE STRATEGIC RESOURCES

Wednesday, January 23, 2002

Hon. Colleen Kollar-Kotelly
U.S. District Court, District of Columbia
c/o Renata B. Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530-0001

Dear Judge Kollar-Kotelly:

The proposed settlement between the Department of Justice and Microsoft in *U.S. v. Microsoft* is not good enough.

I am a member of the Des Moines School Board, a small businessman and a political activist. In each of these roles, I am concerned about protecting competition in the marketplace. This agreement does not adequately protect the free market and innovation, and does not go far enough to address consumer choice.

The settlement does nothing to deal with the effects on consumers and businesses of technologies such as Microsoft's Passport. Passport has been the subject of numerous privacy and security complaints by national consumer organizations. However, corporations and governments that place a high value on system security will be unable to benefit from competitive security technologies, even if those technologies are superior to Microsoft's. Why? Microsoft controls their choices through its monopolies and dominant market share, and still is able to dictate what technologies it will include.

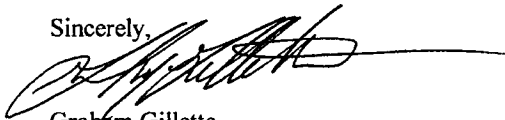
Enforcing federal antitrust laws against monopolies is not new or novel. Antitrust law has protected free markets and enhanced consumer welfare in this country for more than a century. The Microsoft case does not represent a novel application of the law, but is the kind of standard antitrust enforcement action necessary to insure vigorous competition in all sectors of today's economy.

The proposed settlement allows Microsoft to preserve and reinforce its monopoly, while also freeing Microsoft to use anticompetitive tactics to spread its dominance into other markets.

After more than 11 years of litigation and investigation against Microsoft, surely we can – and we must – do much better than this flawed proposed settlement between the company and the Department of Justice.

Thank you for your time.

Sincerely,



Graham Gillette
President

CC: Iowa Attorney General Tom Miller

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